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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,244	12/01/2003	Paul Adams	BIC-027	1956

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THE H.T. THAN LAW GROUP  
1010 WISCONSIN AVENUE NW SUITE 580  
WASHINGTON, DC 20007

EXAMINER
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JACYNA, J CASIMER

ART UNIT	PAPER NUMBER
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3751

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/725,244	Applicant(s) ADAMS ET AL.	
	Examiner J. Casimer Jacyna	Art Unit 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 43-45 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15, 38-42 and 53-56 is/are allowed.
- 6) ☒ Claim(s) 16-32, 34-37 and 46-51 is/are rejected.
- 7) ☒ Claim(s) 33 and 52 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 3751

1. Claims 43-45 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6/2/2005.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 22, 26-29 and 46-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Prasad et al. Prasad discloses a fuel supply including an outer casing 22, an inner liner 40, a valve including a valve body 30, a slidable body 70 that is biased by spring 72 to a valve seat 66, wherein the inlet pipe to the valve in connect to the liner as shown in figure 2, and the base valve housing is integrally connected to 22 as shown in figure 2.
4. Claims 16-29 and 48-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Goodman and Anderson. Goodman discloses a methanol fuel supply including an outer casing 101, an inner liner 104, a valve as disclosed in paragraph 27 which discloses the use of the valve in Anderson wherein the Anderson valve includes a valve body 20, a slidable body 60 that is biased by spring 64 to a valve seat 62, wherein the inlet pipe to the valve in connect to the liner as shown in figure 2, and the base valve housing is integrally connected to 22 as shown in figure 2.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman and Anderson in view of Gagnon et al. Goodman teaches a fuel cell container supply that uses the slide valve of Anderson substantially as claimed but does not disclose the materials used in making the valve. However, Gagnon et al. teaches another spring biased chemical valve that is made from elastomers with a stainless steel spring as disclosed on col. 3, lines 44-52, for the purpose of providing well known, corrosion resistant and readily available materials from which to construct the valve. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the make the valve of Goodman and Anderson with stainless steel and an elastomer as, for example, taught by Gagnon in order to provide a well known, corrosion resistant and readily available materials from which to construct the valve.

7. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman and Anderson in view of Trosch. Goodman teaches a fuel cell container supply that uses the slide valve of Anderson substantially as claimed but does not disclose the materials used in making the valve seals. However, Trosch teaches another spring biased chemical valve with a seal that is made from vinylidene fluoride-hexafluoropropylene rubber on col. 5, lines 1-2, for the purpose of providing a well

Art Unit: 3751

known, corrosion resistant and readily available material from which to construct the valve seal. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the seal of Goodman and Anderson with vinylidene fluoride-hexafluoropropylene as, for example, taught by Trosch, in order to provide a well known, corrosion resistant and readily available material from which to construct the seal.

8. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman and Anderson in view of Yocum. Goodman teaches a fuel cell container supply that uses the slide valve of Anderson substantially as claimed but does not disclose the materials used in making the valve seals. However, Yocum teaches another spring biased chemical valve with a seal that is made from a polyamide resin on col. 2, line 67, for the purpose of providing a well known, corrosion resistant and readily available material from which to construct the valve seal. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the seal of Goodman and Anderson with a polyamide resin as, for example, taught by Yocum, in order to provide a well known, corrosion resistant and readily available material from which to construct the seal.

9. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman and Anderson in view of Knox. Goodman teaches a fuel cell container supply that uses the slide valve of Anderson substantially as claimed but does not disclose the materials used in making the valve seals. However, Knox teaches another check valve with a seal that is made from a fluorosilicone rubber on col. 8, line 11, for the purpose of

Art Unit: 3751

providing a well known, corrosion resistant and readily available material from which to construct the valve seal. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the seal of Goodman and Anderson with fluorosilicone rubber as, for example, taught by Knox, in order to provide a well known, corrosion resistant and readily available material from which to construct the seal.

10. Applicant's arguments filed 7/29/2005 have been fully considered but they are not persuasive. Applicant contends that the materials in Prasad are not useable with methanol. However, all patents are considered enabling for what they disclose and Prasad clearly states that the disclosed apparatus is useable with methanol on line 9 of paragraph 25.

11. Claims 33 and 52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 1-15, 38-42 and 53-56 are allowed.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Casimer Jacyna whose telephone number is 571-272-4889. The examiner can normally be reached on Wed. thru Fri. 9AM-7PM, Mon. 7AM-1PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 703-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "J. Casimer Jacyna", with a long, sweeping horizontal flourish extending to the right.

J. Casimer Jacyna  
Primary Examiner  
Art Unit 3751

JCJ